UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

EUGENE GENCHEV, Plaintiff, v. DETROIT DIESEL CORPORATION, Defendant.	CASE NO: 08-CV-1021 W (NLS) **ORDER DENYING JOINT MOTION FOR CASE REASSIGNMENT [DOC. NO. 8]**

Pending before the Court is the parties' joint motion for case reassignment to the Honorable Janis L. Sammartino. The basis for the motion is because this case is related to Genchev v. Freightliner, 05cv2071, which Judge Sammartino presided over. However, reassignment on the basis of a related case is limited to pending cases. See L.Civ.Rule 40.1 Because Case No. 05cv2071 was dismissed on April 11, 2008, the Court must **DENY** the motion (Doc. No. 8).

IT IS SO ORDERED.

DATED: June 23, 2008

Hon. Thomas J. Whelan
United States District Judge